

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

THOMAS J. MURRER, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

WELLS FARGO BANK, N.A.,

Defendant.

Case No. 3:24-cv-49

**DEFENDANT WELLS FARGO BANK, N.A.’S MOTION TO DISMISS
PLAINTIFF’S AMENDED COMPLAINT**

Defendant Wells Fargo Bank, N.A. (“Wells Fargo”) moves this Court for the dismissal of the Amended Complaint (ECF No. 22) filed by Plaintiff Thomas J. Murrer (“Plaintiff”) pursuant to Federal Rule of Civil Procedure 12(b)(6), as Plaintiff fails to allege facts establishing entitlement to relief under any of the alleged claims. Wells Fargo moves to dismiss in the event that Plaintiff’s claims are not compelled to arbitration under its Motion to Compel Arbitration.

The bases for this Motion are set forth in the memorandum in support filed contemporaneously with this Motion. For the reasons in the memorandum, Wells Fargo respectfully requests that its Motion be granted and that Plaintiff’s Amended Complaint be dismissed with prejudice.

Dated: March 25, 2024

Respectfully submitted,

MCGUIREWOODS LLP

/s/ Katherine E. Lehn

Katherine E. Lehn (VSB No. 92357)

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Wells Fargo Bank, N.A.

CERTIFICATE OF SERVICE

I hereby certify that on March 25, 2024 I caused the foregoing document to be filed with the Clerk of the Court and served upon on all counsel of record via the Court's CM/ECF system.

/s/ Katherine E. Lehnen

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